

Rombough, Kyrik

From: Smith, Kim
Sent: Thursday, November 13, 2008 7:19 AM
To: Gustafson, Brian; Rombough, Kyrik
Cc: Duvall, Ron
Subject: FW: Attn: Hyperion Air Permit

Hyperion comment.

-----Original Message-----

From: Averyter [mailto:averyter@aol.com]
Sent: Wednesday, November 12, 2008 11:36 PM
To: DENR INTERNET INFORMATION
Subject: Attn: Hyperion Air Permit

November 9, 2008

South Dakota Department of Environment and Natural Resources
523 E. Capitol
Pierre, South Dakota 57501

Dear Gentlemen,

We are writing to express many serious concerns about the draft air quality permit. After review of the document, we find neither the applicant (Hyperion) nor the South Dakota DENR has assessed odor emissions and impact from the proposed facility. Petroleum refineries are facilities historically known to cause odor problems. South Dakota law defines odor as air pollution and the nature of a prohibited nuisance. This application fails to characterize odor emission and impacts on neighbors of the proposed facility. Why hasn't the SD DENR addressed this serious problem of odors in the air quality permit? Do you believe your agency's omission of this important pollutant erodes the public's trust in your judgement and expertise?

Another critical oversight the South Dakota DENR has made is your refusal to conduct a Comprehensive Environmental Impact Statement. For a proposed heavy industrial operation of this magnitude and complexity it is imperative that a holistic study be made. And please save the same, tired and unscientific defense that the permitting processes will show all the damage and impact this oil refinery will have. This type of reasoning is precisely why the public has lost trust and confidence in our government and its agencies. How are we supposed to believe that your mission is to protect us when you refuse to do the most important study, an Environmental Impact Statement. The thirteen separate permits do not provide the necessary in-depth explanation of how all of these systems, covered by the different permits, impact and relate to one another. Please include in your response the scientific, measurable data of why you refuse to allow a Comprehensive Environmental Impact Statement.

We ask you for transparency and honesty in your answers to our questions. The SD DENR has the opportunity to re-build trust with your fellow South Dakota citizens by following through with the purpose your agency exists; to serve and protect all the citizens of our state.

Sincerely,

Mark and Terri Avery